

**Statement of Brett Mayer, Policy Chief  
On behalf of American Canoe Association**

**Washington State House of Representatives  
Committee on Community & Economic Development  
Cindy Ryu (D), Chair  
Matt Boehnke (R), Ranking Minority Member**

**WRITTEN TESTIMONY ON HOUSE Bill 1018  
January 20th, 2021, 10:00 AM  
Concerning Boater Education  
Sponsors: Lovick, Ryu, Ortiz-Self, Goodman, Orwall**

Chair Ryu, Ranking Member Boehnke, and members of the Committee, my name is Brett Mayer, and I am the Public Policy Chief for the American Canoe Association (ACA). This document was developed in conjunction with Brent Roth, the ACA WA State Director. The American Canoe Association is opposed to HB 1018.

The American Canoe Association (ACA) is a national non-profit 501(c)(3) paddle sports organization. Founded in 1880, we serve the broader paddling public by providing education related to all aspects of paddling, stewardship support to help protect paddling environments, and serving as the national governing body for Olympic paddlesports in the United States, as well as the lead certifying body for all paddlesports instructors and the curriculum used as the standard by the US Coast Guard Paddlecraft Auxiliary. The ACA is seen as the standard of paddlesports education in the United States and around the world. The large majority of paddlesports education in the United States happens through curriculum written and continually adapted by the American Canoe Association.

The discussion of paddle sports safety is an important aspect of our mission, and we appreciate the attention the legislature, and your Committee has placed on boating safety. The past year saw tremendous growth in paddlesports. In June of 2020, sales of paddle sports products were up 56% compared to one year prior<sup>1</sup>. This growth was fueled by people eager to spend time outside in socially distant ways, and we are attuned to the importance of enhanced education, especially for novice recreational paddlers new to paddle sports and to our nation's waterways.

Data from the most recent Coast Guard Recreational Boating Statistics Report shows that 79 percent of fatal boating accident victims drowned.<sup>2</sup> Of those drowning victims with reported life jacket usage, 86 percent were not wearing a life jacket and alcohol continued to be the leading known contributing factor accounting for 23 percent of total fatalities. Many of these tragedies may have been prevented by wearing a personal flotation device. The ACA is focused on educating paddlers through all disciplines and

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<sup>1</sup><https://www.npd.com/wps/portal/npd/us/news/thought-leadership/2020/consumers-are-flocking-to-these-5-activities/#:~:text=%24172M,%24172M%20in%20June%202020>.

<sup>2</sup> [https://uscgboating.org/statistics/accident\\_statistics.php](https://uscgboating.org/statistics/accident_statistics.php)

courses offered through the ACA, to wear a personal flotation device at all times, and support partners like the National Safe Boating Council in the efforts to encourage increased adoption of personal flotation device use through promotions such as the Wear It Campaign.

### Key Concerns With Bill As Drafted

- **Boater registration cards are a potential impediment to equitable paddle sports access.** We are concerned that placing the financial burden of a fee associated with a legally mandated boater education card would have the effect of deterring potential paddlers. Furthermore, fines might be levied disproportionately in minority communities, or communities that are already socially economically disadvantaged.
  - In Darrington, Washington, Oak Rankin, is the executive director of Glacier Peak Institute. GPI is a non-profit organization that educates underserved youth in paddle sports, and a boater registration card would be a barrier to entry by increasing costs for an already unfunded program.
- **The amended statute takes a one size fits all approach.** The statute, as currently amended, does not differentiate between different paddlesport disciplines, i.e. stand-up paddleboarding, canoeing, whitewater kayaking, sea kayaking, and rafting, all different disciplines within ACA curriculums<sup>3</sup>, nor does the amended statute differentiate between operating environments. The hazards of paddling a sea kayak in the wind and waves of Puget Sound amid ocean-going traffic require different education than the hazards of rowing raft in swift-moving whitewater river like the Skykomish or a stand-up paddleboard on a coldwater lake in a remote area. If you want to address safety education the curriculum and requirements must be specific to the watercraft and the environment. Different disciplines and operating conditions can require nuanced safety information that is critical in the efficacy of a strong curriculum.
  - Lumping all paddlesports together does not best serve any one of the communities.
  - It is clear that existing legislation does not differentiate. In fact, the free paddlesports safety course on the Washington Recreation and Conservation Office website<sup>4</sup>, is clearly designed for open boating situations only. Examples of sample questions from the free recreational paddle sports course that show a lack of differentiation are as follows:
    - A boat's maximum load capacity includes the total weight of which of the following?
    - Which of the following navigation lights are required for non-powered vessels under 23 feet in length?
- **The amended statute would make it illegal for someone under twelve years of age to paddle a craft independently.** At the same time, someone under twelve is legally able to obtain certification to operate a boat with a less than fifteen horsepower engine. This would negatively impact the growth of youth paddlesports, and as the national governing body for Olympic Paddlesports in the United States, we take particular concern with this point.

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<sup>3</sup> [https://www.americancanoe.org/page/Courses\\_SR](https://www.americancanoe.org/page/Courses_SR)

<sup>4</sup> <https://www.boaterexam.com/paddling/>

- **Additional net revenue from this program does not benefit the human-powered paddling community.** While we understand this program is not intended to generate revenue, it currently states that additional revenue is designated solely for marine law enforcement. If safety and equity is the goal then perhaps the funding could be directed to paddlesports education initiatives.
  - The paddling community should be a part of designating where additional revenue is directed.
- **Individuals would still have the legal choice to not wear a personal flotation device.** Currently, Washington State law requires personal flotation devices be worn on all vessels under nineteen feet in length for children 12 years old and younger.
  - 86% of drowning deaths occur because victims are not wearing a PFD. Anyone aboard a vessel is required to have a PFD, but individuals on non-motorized crafts can still choose to not wear a personal flotation device. That means 86% of drowning victims very well might not have drowned if they were wearing a PFD. We cannot say the same thing about carrying a card in your wallet. Legally mandating a boater registration card is not necessarily going to be an effective way to change this behavior.
    - *All vessels (including non-motorized watercraft) must carry at least one USCG–approved wearable Type I, II, or III PFD for each person on board. Non-motorized watercraft include vessels such as canoes, inflatable rafts, kayaks, and sailboats.*

## Recommendations

The ACA primarily sees this as an issue within the novice recreational paddling community. Most paddlers with knowledge and experience, educated through our paddle sports curriculums, choose to wear personal flotation devices. The development of paddle sports pedagogy that takes into account different disciplines and environmental factors is key to the efficacy of increased usage of personal flotation devices. A one size fits all approach will not serve anyone community well, and the requirement of a card will do little to affect whether or not a paddler chooses to actually wear their personal flotation device while paddling.

The ACA is committed to being the standard for paddle sports education, and believe there may be other opportunities to more effectively convince paddle sports newcomers to wear personal flotation devices, and ultimately prevent unnecessary paddle sports-related deaths.

A different solution might be mandating education at the point of sale of paddle sports equipment through enhancing attached educational literature. This could provide information, not only, on basic personal flotation device laws, but also where to go to find entry-level instructional courses in various paddle sports disciplines.

In sum, expanded education, if done well, and thoughtfully, could be beneficial and effective, but the ACA wants to ensure such efforts are not creating inequitable impediments to access, and that such efforts actually enhance safety on the water.

Thank you for the opportunity to submit written testimony to your Committee. I would be happy to answer any questions. For local support and information, Brent Roth is standing by to help with moving forward with increased education in water safety.

Respectfully Submitted.

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